

HEATH POINT ORDINANCE

TOWN OF TREMONT

Passed at Town Meeting
May 14, 1996

HEATH POINT ORDINANCE

Section I. NAME and AUTHORITY:

1. This Ordinance shall be known and cited as "HEATH POINT ORDINANCE".
2. The standards in this Ordinance have been prepared in accordance with 30 M.R.S.A Chapter 111.

Section II. PREAMBLE:

The purpose of this Ordinance is to regulate the use of the Town of Tremont's recreational facility on the Algerine Coast Road, so called, at Seal Cove in a manner that assures its protection while allowing the public to maximize its enjoyment of it and so that future generations of Tremont's inhabitants may enjoy it as well. It is recognized that the area is fragile and needs protection. It is also recognized that shore front property in the Town that is available for the use of the public is now at a premium and it is anticipated that in the future shore front property suited for like use will be difficult to obtain. Therefore this Ordinance is meant to assure that the Town's inhabitants will be able to have Heath Point preserved for the future, and at the same time maximize the enjoyment of it by the Town's inhabitants.

Section III. USES ALLOWED:

- (1) The launching and hauling of watercraft of all types but not to exceed fifty feet in length and limited in duration as hereinafter specified.
- (2) Picnicking during the hours hereinafter specified.
- (3) The parking of automobiles, boat trailers, and small trucks in designated areas and in accordance with the markings on the surface of the parking area and the signs posted at the facility.
- (4) Uses associated with commercial fishing but in accordance with the limitations hereinafter specified.
- (5) Recreational uses but in accordance with the limitations hereinafter specified.

Section IV. LIMITATIONS:

- (1) Camping is not allowed. Overnight parking is allowed only by permit to be issued to those demonstrating a reasonable need. Such permits shall be issued by the HarborMaster and his judgement as to need is final except by appeal to the Board of Selectmen.
- (2) Recreational use of the facility is limited to the hours from (8) AM to (11) PM.

- (3) Boat launching and hauling is allowed at all hours subject to the period of use and the noise restrictions provided herein.
- (4) No fires shall be allowed above mean high water line.
- (5) The playing of games is allowed so long as such games do not harm the grassed over areas of the facility and do not annoy others using the facility.
- (6) It shall be a violation of the Ordinance for any person to make or cause to be made or to continue to make any loud, unnecessary, or unusual noise which annoys, injures, or disturbs the comfort, peace, or safety of others using the facility. Any noise which exceeds 55db(A), or 67db(C)'s as commonly defined noise pressure levels measured in decibels is prima face evidence of a violation of this section.
- (7) Pet animals are allowed so long as they are under the complete control of their owner or keeper who shall be responsible for the removal of any scat they deposit on the facility. Barking dogs are not allowed.
- (8) The boat-launching ramp shall not be blocked at any time. Any user of the ramp shall complete such use within twenty minutes. Any blocking of the ramp for a longer period shall subject the user to the fine hereinafter provided.
- (9) No trash shall be placed in the dumpster provided at the facility except that generated on the facility.
- (10) No trash of any nature shall be thrown upon or left on the premises of the facility or in the waters of Seal Cove.
- (11) The toilet facility on the premises shall be kept clean and nothing except sanitary waste shall be placed in it.
- (12) No activity shall be conducted on the premises which may reasonably be considered as an annoyance to others using the facility.

Section V. PENALTIES:

- (1) Any officer having general police powers granted by the State of Maine shall have the authority to enforce this Ordinance.
- (2) Any person in violation of the parking regulations herein provided and as posted by order of the Selectmen of Tremont shall be subject to a civil penalty not less than one hundred (100) dollars but not more than five hundred (500) dollars.

- (3) Any person blocking the ramp as herein provided shall be subject to a civil penalty not less than one hundred (100) dollars but not more than five hundred (500) dollars.
- (4) Any person violating any other provision of this Ordinance shall be subject to a civil penalty not less than twenty five (25) dollars but not more than two hundred fifty (250) dollars.

Section VI. ENFORCEMENT:

- (1) This Ordinance is enforceable by a summons issued to the offender by any authorized officer of the law requiring that person to appear at the Maine District Court in Bar Harbor, Maine and the matter shall be processed as any other civil infraction of a municipal ordinance as the Law of Maine shall from time to time provide.